

## SANTEE MOBILEHOME FAST FACTS

### RENT: Affordability, Increases, Equity, Pass-through Charges

Santee has a rent control ordinance. Why isn't my rent more affordable?	<b>Santee's Manufactured Home Fair Practices Ordinance was designed to protect homeowners from frequent and/or excessive increases in space rent.</b> Park owners are permitted to increase space rents once annually by an amount tied to the Consumer Price Index for San Diego County. The ordinance is not intended to guarantee "affordable" rents.
Does the City of Santee provide rental assistance payments?	No. Prior to 2012, Santee did have such a program. The State captured the funding that Santee relied upon to offer such loans (Redevelopment) in the State budget of 2011. The County of San Diego administers the Section 8 rental assistance program for low income residents. There may be a waiting list of 9 – 10 years.
How much can rents be increased in Santee?	For all homeowners, other than those with a rental agreement lasting longer than 12 months that was entered into before February 13, 2020, Santee's Manufactured Home Fair Practices Ordinance allows for one increase in space rents annually. The amount of the permitted space rent increase is determined each August according to a formula tied to the Consumer Price Index for San Diego County. When the increase in CPI is less than 3%, the permitted rent increase is 70% of the increase in CPI.
Why are the space rents for similar spaces not the same?	There is no law or ordinance that requires equity in space rents.
My social security payment wasn't increased. Why does Santee's ordinance permit an increase in rent?	Increases in space rents that are subject to the provisions of Santee's rent stabilization ordinance are calculated based on changes in the Consumer Price Index for San Diego County. The federal Social Security Administration calculates increases in social security payments based on a separate measure of consumer prices.
The park manager says I am not eligible to benefit from local rent control because I own another property or travel.	The MRL provides that rent stabilization ordinances are for the benefit of residents. A mobilehome is considered the principal residence of the homeowner unless a review of state or county records demonstrates that the homeowner is receiving a homeowner's exemption for another property or mobilehome in California, or unless a review of public records reasonably demonstrates that the principal residence of the homeowner is out of state. (Civil Code § 798.21(c))
Are parks permitted to "pass-through" expenses to residents?	Yes. For services actually rendered to renter (e.g. trash pick-up) or as provided in a rental agreement. <b>Restrictions apply.</b>

### RENTAL AGREEMENTS: Month-to-Month, Long-term Leases

Can parks require homeowners to sign long-term leases?	Arguably, no. Existing renters <u>cannot</u> be required to sign a long-term lease at the expiration of their existing rental agreement. There is some disagreement about whether new residents must be offered a short-term rental agreement. Please note that any rental agreement lasting longer than 12 months that was entered into on or after February 13, 2020 is no longer exempt from the rent restrictions of Santee's ordinance. (Civil Code § 798.17(i)&(j))
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<p>My park didn't tell me I could choose a short-term rental agreement subject to the rent restrictions of Santee's ordinance. Do I have legal rights?</p>	<p>Yes. Alleged violations of the MRL are considered landlord-tenant issues and enforced through the courts. Concerned renters should seek legal advice through a lawyer or legal aid organization. Again, please note that any rental agreement lasting longer than 12 months that was entered into on or after February 13, 2020 is no longer exempt from the rent restrictions of Santee's ordinance. (Civil Code § 798.17(i)&amp;(j))</p>
<p>If 50% (70%, 90%) of residents sign a long-term lease, is the park removed from rent control?</p>	<p>No. Not in Santee. [There is a process by which a majority (67%) of tenants may approve a schedule of rent increases over two to four years. The park remains subject to the ordinance, which applies fully at the conclusion of the 2 to 4-year period.]</p>

### MAINTENANCE: Home, Park

<p>Who can I call if I believe the park is not reasonably maintained?</p>	<p>Contact the California Department of Housing and Community Development (HCD) which has jurisdiction to inspect mobilehome parks. In more serious cases, residents may wish to consider legal counsel.</p>
<p>Can I withhold or adjust my rent payment if the park fails to provide promised services or amenities?</p>	<p>No. Refusing to pay rent or paying a reduced rent could lead to the residents' termination of tenancy. Instead, residents should file a complaint with the Department of Housing (HCD).</p>
<p>Palm fronds are falling on my home. Am I responsible for trimming trees?</p>	<p>Maybe. First, refer to your rental agreement. Homeowners may be responsible for maintaining or removing trees as a provision of the agreement. If not, the park owner may be responsible for the maintenance or removal of trees constituting a hazard or threat to health and safety as determined by HCD. If the HCD inspector finds the homeowner responsible, an inspection fee may be imposed.</p>
<p>The park sent me a notice demanding repairs to my home. Do I have to make improvements if I think the home is in a condition comparable to others in my park?</p>	<p>It depends. Refer to your rental agreement for guidance. Code violations may result in an order for correction from HCD following their inspection of a park (the City of Santee does not have inspection jurisdiction).</p>
<p>Does the City of Santee have a home repair loan program?</p>	<p>No. The County of San Diego offers a rehabilitation loan program for low income residents.</p>

### TENANCY: Eligible tenants/buyers

<p>I found a buyer for my home, but the park rejected her. Is that permitted?</p>	<p>Yes, within broad limits. The park is empowered to determine the financial ability of a prospective renter to pay space rents that may increase over time. The park may also consider whether the buyer's history suggests that park rules may not be observed.</p>
<p>I live in a senior's park. Can my son (age 35) move in with me?</p>	<p>No - except if you require live-in health care, live-in supportive care, or supervision pursuant to a written treatment plan prepared by a physician and surgeon. In that circumstance, you may share your home with any person over 18 years of age if this person is a parent, sibling, child, or grandchild.</p>